

TENNESSEE BOARD OF SOCIAL WORKER CERTIFICATION AND LICENSURE

MINUTES

DATE: May 3, 2004

LOCATION: Cumberland Room
1st Floor, Cordell Hull Building
Nashville, TN

BOARD MEMBERS

PRESENT: Odean Rasberry, Chair
Susan Vickerstaff
Suzanne Vandiver
Vickie Fleming
Debra Wolkhamer

BOARD MEMBERS

ABSENT: Marilyn Hooker

STAFF PRESENT: Janice Williams, Board Administrator
Ernest Sykes, Advisory Attorney
Robbie Bell, Director
Barbara Maxwell, Administrative Director
Jerry Kosten, Rules Manager

Ms. Rasberry, board chair, called the meeting to order at 9:16 a.m. A sufficient number of members were present to constitute a quorum.

Conflict of Interest Policy

Mr. Sykes, advisory attorney, reviewed the conflict of interest policy with the board members. Mr. Sykes reiterated that each board member is to disclose any conflict of interest they may have prior to any legal proceedings.

Agreed Order for Rebecca McCloud, LCSW

Ms. Marlowe, Assistant General Counsel, presented an Agreed Order for Rebecca McCloud, LCSW, to the board for their review and acceptance. Ms. Marlowe said the allegations of fact state Ms. McCloud married a former client and became chemically dependent upon alcohol and Ritalin, which led her to unethical and unstable behavior.

Ms. Wolkhamer asked how the monitoring process stipulated in the agreed order is conducted. Ms. Marlowe said Ms. McCloud retired her Tennessee license and is practicing in Wisconsin.

Ms. Marlowe said should she return to Tennessee the agreed order will remain in her file. Upon review of the order, Ms. Vandiver made a motion, seconded by Ms. Fleming, to accept the agreed order as written. The motion carried.

Ms. Irwin, Assistant General Counsel, presented an agreed order for Barbara E. Henagar-Roy, LCSW, to the board for their review and acceptance. Ms. Irwin said the allegations of fact state Ms. Henagar-Roy rendered services as a therapist to the residents of Memphis Towers under the employment of Horizons of Care and continued to do so upon becoming self-employed in addition to obtaining money from residents unrelated to payment for services rendered. Ms. Vickerstaff asked if Ms. Henagar-Roy is currently employed. Ms. Irwin said Ms. Henagar-Roy is self-employed. Upon review of the order, Ms. Vickerstaff made a motion, seconded by Ms. Fleming to accept the agreed order as written. The motion carried.

Report from Jerry Kosten, Rules Manager

Mr. Kosten presented an amendment to the board to include continuing education for Licensed Certified Social Workers. Upon discussion, the board determined the rules did not require an amendment at this time.

Review Minutes

Upon review, Ms. Vickerstaff made a motion, seconded by Ms. Fleming, to accept the minutes with the noted correction. The motion carried.

Review Correspondence

The board reviewed a letter from Brad W. Camp requesting an extension of time to take the clinical exam and waiver of the exam fee. Upon discussion, the board asked Ms. Williams to send Mr. Camp a letter explaining his request is being denied as the board does not set the exam dates or have the ability to waive fees.

Roland Gray of the Tennessee Medical Foundation

Mr. Gray introduced himself to the board and stated he is the medical director and CEO of the Tennessee Medical Foundation. Mr. Gray said the foundation was formed in the 1980's to assist physicians who have the highest suicide rate. Mr. Gray said at the request of the TMA, we have expanded the scope of impaired professions and now work with individuals with broader impairments. Mr. Gray said the foundation has support groups in twelve cities around the state and since 1978 their support groups have been open to anyone licensed under Health Related Boards without a formal contract.

Mr. Parish, LCSW, addressed the board and stated that colleagues in Social Work are not immune to alcohol and drug abuse or other types of impairment. Mr. Parish said the program is an alternative to disciplinary action. Mr. Parish said the service is effective and free to participants.

Ms. Raspberry asked if the board must fund TMF since impaired professionals do not pay for its services.

Dr. Gray said the Medical Board funds physicians and the Nursing Board funds nurses but there is no contract between TMF and the boards. Dr. Gray said the contract is between the licensee and TMF.

Mr. Sykes stated the board is not empowered to refer licensees unless or until the case comes before the board. Mr. Sykes said pursuant to rule 1365-1-.21 as an alternative to disciplinary action the board may utilize the services of a peer assistance program.

Mr. Sykes said when and if the board approves TMF and other providers we can put this on the board's web site.

The board thanked Dr. Gray for his presentation.

Report from Ernest Sykes, Advisory Attorney

Mr. Sykes reviewed the Office of General Council (OGC) Report and stated Rules 1365-1-.15, .19 which deleted informal settlements became effective April 16, 2003.

Mr. Sykes said Rule 1365-1-.05, .10 which deletes the requirement for supervision logs for 10 year reciprocity became effective October 5, 2003.

Mr. Sykes said Rule 1365-1-.04, .05, .06, .08 and .19 which eases reciprocity and fixes errors became effective November 18, 2003.

Mr. Sykes said Rule 1365-1-.15 regarding order modifications and appearances before the board to determine compliance was sent to the Attorney General's Office March 25, 2004 for review and approval.

Mr. Sykes said Rule 1365-1-.12 regarding continuing education for LCSW's came before the board at this meeting and the board determined not to amend the rules at this time.

Disciplinary Summary Review

Mr. Sykes reviewed the disciplinary summary and stated there are 527 open cases for all Health Related Boards. Mr. Sykes said the Nursing, Medical Doctors and Dentistry Boards have the highest volume of cases. Mr. Sykes stated there are 13 open cases for social workers.

Disciplinary Guidelines

Mr. Sykes said Ms. Bell is in the process of formulating disciplinary guidelines for all health related boards, which should be ready for the board's review at the next meeting.

Review Financial Report

Ms. Rasberry reviewed the financial report which she stated all board members received in the mail. Ms. Rasberry said according to the report, which is several months old, the board has assets in the amount of \$80,934. Ms. Rasberry requested a June 30, 2004 report for the August meeting.

Investigative Report

Ms. Phelps reviewed the Investigative Report in Ms. Moran's absence. Ms. Phelps stated four new complaints have been received year to date, one for unprofessional conduct, one for malpractice/negligence and two under other. Ms. Phelps said three complaints have been closed, one with no action, one with a letter of warning and one referred to OGC.

Ms. Vandiver asked what type of complaints comes under other. Ms. Phelps said it could be misappropriation of funds, fraud, or failure to comply with continuing education requirements.

Disciplinary Report

Ms. Phelps reviewed the disciplinary report stating there are currently two Licensed Clinical Social Workers being monitored. Ms. Phelps said she could not report if the disciplined licensee is in compliance because a new complaint would be filed and the licensee would come before the board again if they were not in compliance.

Ms. Rasberry asked if the licensee whose action was stayed by Chancery Court is still practicing. Mr. Sykes said the licensee is still practicing pending Chancery Court's decision. Mr. Sykes stated he would try to obtain the status of the case.

Administrative Report

Ms. Williams reviewed the administrative report and stated there are 1284 active CMSW and 1711 active LCSW. Ms. Williams said there were 200 LCSW and CMSW licensees audited and the findings of the audit should be ready by the August meeting. Ms. Williams said the board is also being audited by the Comptroller's Office.

The board thanked Ms. McFadden for all her hard work in review applications and reviewing the continuing education submitted for auditing purposes.

Status Report

Ms. Williams reviewed the status report with the board stating there are currently 1711 active LCSW licensees, 182 expired, 13 denied, 252 voluntarily retired and 287 failed to renew.

Ms. Williams said there are currently 1287 active CMSW licensees, 93 expired, 1 denied, 2072 voluntarily retired and 1120 failed to renew.

Ratify Licensed Certified Social Workers (LCSW) Applications

Ms. Williams said that Dawn Casey, LCSW applicant, was sent a letter stating she has one week to submit her reference letter. Ms. Vandiver made a motion, seconded by Ms. Fleming, to approve Ms. Casey for licensure pending receipt of her reference letter. The motion carried.

Upon review Ms. Vickerstaff made a motion, seconded by Ms. Wolkhamer, to approve the following LCSW applicants for the clinical examination and reciprocal licensure:

Lucretia Matthews
Walter Wallace
Jennifer Tabor
Laurie Tollefson
N. Hope Wallace, Reciprocal
Nicole Scott
Christopher Hancock
Kathleen Ross
Brenda Eckles
Robert Dole, Reciprocal
Gerre Schwert, Reciprocal
Kimberly Winkel-Agunbiade, Reciprocal
Pamela Willis
Michelle Fenton
Dianna Wilson
Myra Edgeworth
Mary Crane-Smith
Thomas Presler, Reciprocal
Patricia Harman, Reciprocal
James Ferguson, Reciprocal
Evelyn Taylor, Reciprocal
Jennifer Valli-Boughter, Reciprocal
Stephanie Medlin
Elizabeth Petz, Reciprocal

The motion carried.

Ratify Certified Master Social Worker (CMSW) Applications

Upon review, Ms. Wolkhamer made a motion, seconded by Ms. Vickerstaff to approve the following list of CMSW's for licensure.

Allen, Tamarin
Ambrose, Lisa
Amanda, Monica
Bates, Heather
Carnes, Melody

Dail, Alma
Dorris, Rachel
Drews, Hilary
Ellis, Lester
Farrar, Melissa
Flowers, Deborah Fahr
Franklin, Ashley
Fryer, Erien
Hayter, Robbie
Jackson, Lisa
Johnson, Carolyn
Kloosterhouse, Kristen
Kuhlman, Constance
Leatherwood, Williams
Lewis, Rosemary
Martinelli, Cynthia
Melvin, Kelly
Morley-Redding, Meghann
Munoz, Sonia
Neil, Scott
Noto, Joyce
Patton, Tammy
Pu, Qing
Reyes, Melissa
Roth, Leah
Sampson, Patricia
Schneider, Elisabeth
Sowder, Rachel
Tucker, Jennifer
Wakefield, Dagny
Whitfield, Ruby
Williams, Bobby
Wilson, Janon
Wonacott, Angela

The motion carried.

Review Legislation

Mr. Sykes reviewed the Senate Bills that may affect the board. Mr. Sykes said the General Assembly is in session for three more weeks and he will have the results by the next board meeting. Mr. Sykes said the criminal background check is high on the General Assembly's check list and he believes it will pass.

Other Board Business

Ms. Rasberry said her term expires June 30, 2004 and she has decided not to seek reappointment. Ms. Rasberry said this is her last board meeting; however, if no one has been appointed by the August board meeting she will be glad to attend.

Ms. Rasberry stated the administrative staff is great to work with and it's been a wonderful eye opening experience. Ms. Rasberry said she wants to thank Ms. Miriam and everyone for their hard work. Mr. Sykes said staff will sunshine the election of a new chair at the next meeting.

Ms. Vandiver stated that she will rotate off the Board in June and be happy to stay until someone else is replaced. Ms. Vandiver said she was not eligible for reappointment and appreciates the opportunity to have had this experience. Ms. Vandiver stated she has enjoyed working with the people on and off the board and will continue being of service to the board.

With no other board business to conduct, Ms. Fleming made a motion, seconded by Ms. Vickerstaff, to adjourn at 11:25 a.m. The motion carried.

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